

(sec. 383). In the *Economists* of Xenophon¹ the relations of husband and wife are expounded at length in terms of great respect and esteem for a wife. The work seems to be rhetorical and dramatic, not actual, and it is represented as very exceptional and astonishing that such relations should exist between any man and his wife. In Plutarch's *Morals* the tract on "Conjugal Precepts" is written in an elevated tone. It is not specific and seems open to the suspicion of being a "pose." However, the doctrine is that of equal duty for husband and wife, and it may be taken* to prove that that was the doctrine of the neostoics. Seneca wrote, "You know that it is a base thing that he who demands chastity of his wife should himself corrupt the wives of others."² And again, "Let him know that it will be the worst kind of an injury to his wife for him to have a mistress."³ Augustine tells a story that Antoninus Pius granted a man a divorce for adultery of his wife, provided the man could show that he had, by his mode of life, maintained fidelity to his wife, and that the emperor added the dictum that "it would be unjust that a man should be able to exact a fidelity which he did not himself observe."⁴ Augustine himself maintained the full equality of spouses in rights and duties. Ulpian said that "it seems to be very unjust that a man demands chastity of his wife while he himself does not show an example of it." This dictum got into the *Digest* where the jurists of all succeeding ages could have it before their eyes.⁵ It did not often arrest their attention. These utterances, so far as they are sincere expressions of convictions, do not represent the conduct of any school, and perhaps not even that of the men who recorded them. They belong to a period of

great corruption of the sex mores of the upper classes, and of rapid extension of such corruption to the lower classes. A character in Plautus's comedy of *The Merchant*¹ complains of the difference in codes for unchaste husbands and unchaste wives. If every woman has to be content with one husband, why should not every man be forced to be content with one wife ? Jerome

¹ VII-TX.
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² *JSist.*, XCIV, 26.

³ *Ibid.*, XCV, 39.

* *Opera* (Paris, 1635), VI,

⁵ *Digest*, XLVIII, 13, 5.

⁶ Act IV, scene 8.